

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

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UNITED STATES OF AMERICA

v.

Case No. 1:19mj315

MICHAEL BERNARD BAGLEY,

Defendant.

**CONSENT MOTION TO EXTEND TIME FOR INDICTMENT**

The United States of America, by and through its attorneys G. Zachary Terwilliger, United States Attorney for the Eastern District of Virginia, and Jamar K. Walker, Assistant United States Attorney, with the express consent of the defendant, and the defendant's counsel, respectfully move the Court to extend the time to indict this case through and including September 10, 2019. In support thereof, the parties state as follows:

1. The defendant was arrested on or about July 10, 2019, based on probable cause. That same day, the defendant made his initial appearance before the Honorable John F. Anderson on a criminal complaint charging him laundering of monetary instruments, in violation of Title 18, United States Code, Section 1956. Assistant Public Defender Shannon Quill was appointed to represent the defendant. On or about July 12, 2019, the defendant had a probable cause and detention hearing, and the court found probable cause to support the criminal complaint and also ordered that the defendant be detained pending trial. On or about July 18, 2019, counsel for the government was informed that defendant has retained counsel in this matter.

2. The Speedy Trial Act requires that the defendant be indicted within thirty days of the defendant's arrest after subtracting all excludable time. On August 9, 2019, it will have been 30 days since the defendant's arrest. The parties jointly request an extension of approximately 30

days for an extension of the time to indict. Extending this time period for approximately 30 days would be in the best interests of justice in that it would give the defense counsel an opportunity to meet with the defendant, to review discovery and to a possible pre-indictment plea resolution of the case.

3. The defendant hereby agrees to waive any objections under the Speedy Trial Act and to extend the government's time to file an indictment in this case through and including September 10, 2019.<sup>1</sup> The waiver is made knowingly, intentionally, and voluntarily by the defendant, and with full knowledge of the provisions of the Speedy Trial Act, Title 18, United States Code, Sections 3161, *et seq.*, and with the advice and consent of counsel.

4. The defendant expressly understands that his waiver is not predicated upon any promises, agreements, or understandings of any kind between the government and the defense in this case, and that nothing contained herein shall be construed to preclude the government from proceeding against the defendant during or after the time period covered by this waiver.

WHEREFORE, the parties request that the time to indict this case be extended to and including September 10, 2019, and that the delay resulting from this extension be excluded in computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h).

Respectfully submitted,

G. Zachary Terwilliger  
United States Attorney

Date: July 19, 2019

By: 

Jamar K. Walker  
Assistant United States Attorney

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<sup>1</sup>The grand jury would not convene on September 9, 2019.

Defendant's Signature: I hereby agree that I have consulted with my attorney and fully understand all my rights with respect to a speedy trial, including my right to be charged by indictment within 30 days of arrest, as required by Title 18, United States Code, Section 3161(b). I have read this motion for an extension of time to be charged by indictment, and carefully reviewed every part of it with my attorney. I understand this motion and voluntarily agree to it.

Date: 7/19/2019

MBagley  
Michael Bernard Bagley

Defense Counsel Signature: I am counsel for the defendant in this case. I have fully explained to the defendant the defendant's right to be charged by indictment within 30 days of arrest. Specifically, I have reviewed the terms and conditions of Title 18, United States Code, Section 3161(b), and I have fully explained to the defendant the provisions that may apply in this case. To my knowledge, the defendant's decision to agree to an extension of time to be charged by indictment is an informed and voluntary one.

Date: 7/19/19

Bernard Crane  
Bernard Crane, Counsel for the Defendant